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Pamphlet Box B3

# A LETTER

TO THE

MOST REVEREND THE LORD BISHOP OF FREDERICTON,

RESPECTING A PROPOSED CANON,

FOR THE

APPOINTMENT AND ELECTION OF A BISHOP COADJUTOR.

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SAINT JOHN, NEW BRUNSWICK,  
June 24th, 1879.

*My Lord Bishop.*—In accordance with your Lordship's wishes, I have as a Lay delegate to the Diocesan Synod, been furnished with a copy of your Lordship's proposed Canon on the appointment of a Bishop Coadjutor.

The great importance of the subject, and the limited time for the consideration of the Canon, must be my excuse for venturing to respectfully address your Lordship with respect to its provisions.

For my own part, it reached me within less than three weeks of the day fixed for the assembling of the Synod at which it is proposed to be passed. Since I received it I have been much away from Saint John. This is to me a matter for regret. I may possibly have misapprehended its provisions. At present, they seem to me fraught with serious danger to the interests of the Church.

For years past the sound rule for Church work in your Lordship's Diocese has been to do nothing rashly. Measures have been submitted and discussed commonly at the next meeting of the Synod, and only after careful consideration, and the fullest notice. And while I may well understand your Lordship's desire that the work of the Diocese should not in any degree suffer through any anticipated failure of your Lordship's strength, yet I cannot but feel that the Diocese may suffer more, and more permanently, from the hasty adoption of a measure so important as that now proposed. And I hope and pray that your Lordship may yet be long spared to be our Chief Pastor in the Church of God.

I now ask your Lordship's attention to the proposed Canon, as I have placed it at the end of this letter, in parallel columns with that already existing for the election of a Bishop of the Diocese in case of a vacancy in the See.

1. And first, I ask, is it prudent or is it wise that a Canon should be adopted for the election of a Bishop until provision has been made for his permanent stipend and support?

Under the Canon now in force no such difficulty can arise. The permanent endowment of the See of Fredericton has, I believe, been provided, in part by the liberality of those Churchmen in England who formed, many years since, the "Colonial Bishoprics Fund," and in part by funds contributed and invested within the Diocese itself. And that endowment was completed before your Lordship's appointment and consecration as Bishop of the See.

But the proposed Canon provides for the choice of a Coadjutor Bishop, for whose support, so far as I am aware, no provision has yet been made. And the Coadjutor Bishop so chosen is to be invested with full right of succession to the See.

Will not the practical effect be to unduly limit the Synod in the choice of your Lordship's Coadjutor and successor?

We have among our Clergy men of zeal and learning who are growing old in the ministry of the Church. We have rising men of lesser age, sons of our own land, whose parents have struggled to educate them for their great and holy work, but can do for them nothing more; those again who have come among us as Missionaries, and are now settled among us, and have become, to a greater or lesser degree, identified with the land of their adoption. But how many and which of them could accept the position of Coadjutor Bishop without stipend, if nominated and elected? The stipends of our country Clergy are still barely

sufficient for their support. They admit of no accumulations such as might enable their possessor to maintain his position from his private means. And, were it otherwise, is it desirable that the Episcopate should be limited to men of property, or that the question of individual wealth should in the least degree be permitted to interfere with that of suitableness for the office and the work?

But it has been stated, I know not on what authority, that it is your Lordship's kind intention to set apart from your Lordship's private income a sum sufficient for the support of a Bishop Coadjutor.

But is it wise that the holder of an office so important should be in the position of a Curate, dependent on the means, and therefore on the will, of the Bishop of the Diocese for the time being only for his support?

Pardon me if I speak too plainly. No one shall yield to me in regard for your Lordship, or in respect for your Lordship's great learning, high character, and Christian zeal. But the Canon itself supposes that your Lordship will not always be our Bishop. Who your Lordship's successor may be, we know not. Is it wise to invest him with such power as the proposed Canon gives? Is it just to the Clergy that the succession to the See should be so arranged that a Bishop may practically control the election of his successor?

Is it fair to the Laity to ask them to adopt such a Canon until, through the action of a Committee of the Synod, or otherwise, they have had an opportunity of ascertaining how far, as a body, they are able to contribute to the Bishop Coadjutor's support? Sooner or later the burthen must fall upon them. That any pledge your Lordship may see fit to give in this respect, will, to the utmost of your Lordship's power, be fulfilled, we may well believe. But your Lordship cannot bind your successors, nor is the uncertainty of worldly wealth confined to the Laity alone. It is quite within the range of possibility that a Bishop might undertake to provide the salary of a Coadjutor, and yet find himself, through altered circumstances, unable to do so. On the Laity the burthen must eventually fall, and at a time perhaps when, through the further withdrawal of the S. P. G. grant, they are less able to meet the claims of the Church upon them than at present. Surely then it would be unwise to pass such a Canon until this question of Stipend has been considered and fairly met.

And not merely, it seems to me, would the attempt to choose a Bishop Coadjutor until provision has been made for his support, unduly limit the choice within the Diocese; it would render it very difficult to

select elsewhere. I trust and hope that our next Bishop may be chosen from the ranks of the Clergy of the Diocese. But I cannot shut my eyes to the fact that in other Dioceses the solution of grave difficulties has been found in the choice of some one from a distance, or even in a reference to a Committee in the Mother Land. Why should we debar ourselves from the exercise of such a privilege, if at any time it appear needful to exercise it? But how could the English Committee of Reference be asked to appoint to a Bishopric without a fixed stipend attached? Or what Clergyman of standing in another Diocese could be asked, under such circumstances, to accept the Episcopate? Pardon me, my Lord, if I frankly ask, whether if at the period of your Lordship's nomination, one of the then Clergy of the Diocese had been Bishop, and, your Lordship had been invited to become Coadjutor, even with right of succession, under such circumstances as now exist, your Lordship could, in justice to yourself, have accepted a position so dependent and anomalous?

2. But again, my Lord, what have your Clergy and Laity done that it should be sought to take from them the joint privilege of nomination, which the Canon now in force confers? The right to a voice in the choice of their Rectors is secured to our Parishes by law. We of the Laity value this right, and, while its exercise may not be free of all disadvantage, we have at least not witnessed amongst us, since it was secured, any of the sad troubles which have arisen elsewhere where a Clergyman has been sought to be imposed on a people unwilling to receive him. At such choice every parishioner qualified by law is free to make a nomination of a fit and proper person as he may think right. And why should the Lay Delegates of those Parishes be excluded from the right of nomination of a fit and proper person to be their future Bishop? Has there been aught in the history of the Diocese to show that the progress of the Church has suffered since the Laity have taken a full share in the administration of its affairs?

I ask your Lordship to remember that by the terms of the proposed Canon the Bishop Coadjutor is in all cases to have the right of succession to the See. Hence the Canon, if enacted, may, in all probability, supersede, and at least in the majority of cases prove a practical repeal of that now in force. Under the present Canon, Clergy, and Laity alike may exercise, as in other Dioceses, the right of nomination freely. But that Canon can only come into operation in case of a vacancy in the See. And if a Bishop Coadjutor is from time to time to be chosen under the Canon now proposed, no such vacancy will occur.

It cannot be that your Lordship dreads lest your Clergy or Laity should make an improper nomination. Surely your Lordship cannot thus distrust us. And even were such a nomination possible, the person nominated could not, under the present, as well as the proposed Canon, be chosen except by a two-thirds majority of each order—Clerical and Lay—and even if chosen, he could not be consecrated until the choice was confirmed by the Bishops of the Ecclesiastical Province under the Canon of the Provincial Synod. Why, then, exclude Clergy or Laity from the right of nomination? We may well believe that your Lordship would endeavour to act impartially in the exercise of the right. But we cannot predicate this always of your Lordship's successors—we know not who they may be. True, under the proposed Canon we may reject. But is it right or fair that the powers of the Clergy and Laity in this Diocese, alone, I believe, of all others, should be so limited? Might it not occur at some future day, that name upon name was sent down until a weary Synod, dissatisfied with those names and yearning for some other—yet unable to propose it—submitted, hesitatingly it might be, yet irretrievably, to a choice, if such it could be called, the result of which might be to involve your Lordship's once happy Diocese in party struggles, jealousies and dissensions for years to come.

My Lord Bishop, trust us, and ask us not to give up the right of nomination, and thus limit our privileges, until we have shown that we are unworthy to possess them.

3. But it is proposed that the Bishop may nominate one or more persons, at his discretion. And why should the Synod be limited, at the discretion of the presiding Bishop, to vote upon a single name, or upon two only? How often, in other Dioceses, has a name which at first commanded but a small vote, proved eventually to be that as to which the Synod were almost or quite unanimous in approval. Are men of one school of thought only to be nominated? Are all, not of his own, at the discretion of any Bishop, to be excluded. If not, why again limit the right of nomination to him? Surely the effort should be to secure a Bishop who will be most acceptable to the Diocese at large. And surely this will be best attained by the utmost freedom of nomination and election, and not by placing it in the power of the presiding Bishop to confine or control the vote.

4. And again, is it safe, as is now proposed, that the election should be left open to be made, not of necessity at a special meeting of the Synod upon full notice and consideration; but, even at the very meeting at which a resolution declaring the election advisable, may be passed?

Surely, the prayers of the whole Church should unite in imploring the Divine guidance in such a choice. Surely time should be given for every member of our Church throughout the Diocese to join in such petitions. Would not the very possibility of so hasty a choice be a serious danger? Is it right that such a sword of Damocles should hang over us? Would it be fair to Clergymen or Lay delegates who might be absent, under circumstances which they felt would justify them, so far as the ordinary business of the Synod was concerned; but who, if at death's door, would drag themselves thither, were notice given that a question so important as that of the election of their future Bishop, was to arise?

I shrink, my Lord, from the responsibility which the publication of the present letter entails; but in the short time given us, I know not how otherwise to place before your Lordship and the Clergy and Lay delegates, in time for serious consideration, the views I have expressed.

The Bishop of a Diocese must under any circumstances exercise a great and commanding influence. His addresses are always in order in the Synod. His high office secures to him the greatest deference and respect. But by the constitution of our Synod, Clergy and Laity have their just rights also, and as we value, so the more jealously should we guard them. Forgive me then, my Lord, if as one of your Lordship's faithful Laity, I speak plainly. When the question arose as to the Bishop's negative vote, or veto, I asserted that right for your Lordship and your successors, as I now claim equal privilege of nomination and freedom of choice of their future Bishop for the Clergy and Lay Delegates in Synod assembled.

Perhaps it is right also that I should state that, although I gave notice in July, 1878, that I should this year move the consideration of the important and much needed codification of the Church Acts, published in the Synod Journal, and my notice stands as the first business for the present year, I shall at once cheerfully yield precedence to the consideration of the proposed Canon, if, as coming from your Lordship, it is to be pressed. Yet, unless arguments can be advanced so powerfully as to materially change my present views, I cannot but respectfully oppose its adoption, believing that such a Canon, if adopted and followed, under our present circumstances, as it might be, by a nomination and choice, would impair our just rights, lessen the harmony

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which of late years has existed, and involve the possibility of serious hazard to the Church.

I am, my Lord Bishop,

Your Lordship's most obd't servant,

W. M. JARVIS,

Lay Delegate for the Parish of St. Mark, St. John, N. B.

TO THE MOST REV. THE LORD BISHOP OF FREDERICTON,

Metropolitan of Canada.

### PRESENT CANON.

ADOPTED 7TH JULY, 1871.

Whereas it is desirable to provide for the succession of the Episcopate in the Diocese of Fredericton, and whereas in accordance with the ancient usages of the Church, the election should be made by the Synod of the Diocese, the form of election shall be as follows:—

1. The Archdeacon, or if there be no Archdeacon, the Commissary of the late Bishop, or if there be no Archdeacon or Commissary, or if they shall refuse, or shall neglect for thirty days or more after a vacancy in the See shall have occurred to act, then any three Rural Deans in Priest's orders within the Diocese for the time being, shall summon a special meeting of the Diocesan Synod for the election of a Bishop, to be held not less than sixty nor more than ninety days after such vacancy shall have occurred, at which meeting no other business but such election shall be proceeded with.

2. The person who shall be chosen by the votes, taken by ballot, of at least two-thirds of the clergy and two-thirds of the lay delegates present at such meeting, or some adjournment thereof, shall be deemed elected to the office of Bishop of this Diocese. And this election shall

### PROPOSED CANON

FOR THE APPOINTMENT AND ELECTION OF A BISHOP COADJUTOR.

1. Whenever at the request of the Bishop of the Diocese, or—if the Bishop should be mentally incapacitated—then whenever without such request the Synod shall by resolution declare it to be advisable that a Bishop Coadjutor for the Diocese should be appointed, the election of such Coadjutor shall, either at the meeting of the Synod at which such resolution shall be passed, or at a special meeting to be called for that purpose, be proceeded with in the manner hereinafter provided.

2. The Bishop shall submit to the Synod the name or names of one or more persons in Holy Orders in the Church of England and Ireland in Canada, or in some Church in full communion therewith, for election as such Bishop Coadjutor.

3. Upon such nomination being made by the Bishop, the Synod shall proceed to the election of a Bishop Coadjutor.

4. Such election shall be by ballot, and the votes of at least two-thirds of the Clergy, and two-thirds of the Lay delegates present, shall be required to elect such a Coadjutor.

5. Should the Synod fail to elect

not be vitiated by the absence of any of the parties summoned, or by the failure of any parish to elect a lay representative.

3. Any question as to the validity of the election to the vacant See shall be submitted, prior to the consecration of the person elected, to the Metropolitan of the See of Fredericton for the time being, whose decision shall be final.

4. The Synod may at such meeting, by a like majority of clergy and lay delegates as hereinbefore mentioned, delegate to the Metropolitan of the See of Fredericton for the time being, the power of choosing a Bishop for the vacant See; and such choice shall thereupon be final.

5. The choice of the Synod, or the delegation of its choice, shall be notified in writing to the Metropolitan of the See of Fredericton for the time being, by the Chairman of the meeting and Secretary of the Synod, immediately after its decision.

6. The following declaration shall be made before the Metropolitan or some person duly appointed by him, by the Bishop elect, before his consecration, or, if already consecrated, before exercising any Episcopal functions in this Diocese: "I, N., chosen bishop of the See of Fredericton, do promise that I will teach and maintain the doctrine and discipline of the Church of England: and I also do declare that I consent to be bound by all the Rules and Regulations which have heretofore been made, or which may from time be made by the Synod of the Diocese of Fredericton; and in consideration of being appointed Bishop of the said See of Fredericton, I hereby undertake immediately to resign the said appointment, together with all the rights and emoluments appertaining thereto, if sen-

on such nomination, the Bishop may make a further nomination, and so from time to time; and the election upon any such further nomination shall be proceeded with as hereinbefore provided.

6. Should the Bishop decline to make a further nomination in any such case, the proceedings for the election of a Bishop Coadjutor shall cease.

7. Should the Bishop at any time become so incapacitated by mental infirmity as to be unable to discharge the duties of his office, the Synod may, if it see fit, proceed to the election of a Bishop Coadjutor in like manner as in the case of a vacancy in the See.

8. When any person is duly elected Bishop Coadjutor, it shall be the duty of the Bishop, or of the Synod, forthwith to notify the Metropolitan of such election, in order that the consecration of such Coadjutor may be proceeded with as in the case of Bishops of Sees in the Province of Canada.

9. The Bishop Coadjutor elect shall, before his consecration, make and subscribe before the Metropolitan, or some person appointed by him, the following declaration:—"I. A. B., elected Bishop Coadjutor of the Diocese of Fredericton, do promise that I will teach and maintain the doctrine and discipline of the Church of England. And I do also declare that I consent to be bound by all the rules and regulations which have been made, or which may hereafter be made by the Synod of the said Diocese; and I hereby agree immediately to resign the said office of Coadjutor, together with all the rights and emoluments appertaining thereto, if sentence requiring such resignation shall at any time be passed upon me, after due examination and trial had by the Tri-

tence requiring such resignation should at any time be passed upon me, after due examination had, by the tribunal acknowledged or appointed by the Synod of the said Diocese for the trial of a Bishop; saving all rights of appeal allowed by the said Synod."

7. The above declaration in writing, signed by the Bishop elect, or a certified copy thereof, shall be filed with the Secretary of the Synod.

bunal appointed by the Synod of the Diocese for the trial of a Bishop, saving all right of appeal allowed by the said Synod."

10. The said declaration, or a certified copy thereof, shall be forthwith filed with the Secretary of the Synod.

11. The Bishop Coadjutor shall perform such Diocesan duties, and exercise such Episcopal functions, as the Bishop may assign him; or, in case of mental incapacity of the Bishop, such duties and functions as the Bishop himself might have exercised but for such incapacity.

12. Should any difference arise between the Bishop and his Coadjutor relative to their respective rights and duties, it shall be referred to, and decided by, the House of Bishops of the Province of Canada.

13. The Bishop Coadjutor, when duly consecrated, shall have the right of succession to the See of Fredericton, and shall succeed to the same immediately upon its becoming vacant, and shall be installed as such according to the Canons of the Province of Canada.

14. The Bishop Coadjutor shall have a seat in the Diocesan Synod, and the same right of voting therein as any Priest of the Diocese sitting in such Synod.